SAMPLE SMALL-SCALE ORGANIZATION OF A SINGLE ISSUE
IN A PREDICTIVE ANALYSIS

A  Application
[perform some depth of the following sequence for each issue under analysis]

[Issue 1]

C/I = Conclusion/Issue
Set out the conclusion/outcome you predict will occur on an issue OR a statement of the issue you will be analyzing.

R = Rule Development
Fully develop the rule you plan to apply to the facts of your client’s situation. Begin with the foundational language of the rule (many times this may be the legally-significant term(s) of a statute or common-law), then add on the additional pieces of authority that provide greater understanding of the foundational language. There may be definitions, explanations and/or illustrations in the rule development section. Sequence the pieces of the rule to provide the reader with an easy-to-digest summary of everything you can tell the reader about the specific rule that applies to this issue. Your client’s facts should not appear in the rule.

A = Application
Once the rule is fully developed, you are then ready to apply that rule to your client’s situation. In predictive writing, if there is more than one way to view the facts in light of the rule, you must carefully evaluate and present both the strengths and weaknesses of your client’s position. The easiest and most concise way to present this application is to develop each “side” independently. When presenting each side, focus on tightly weaving law and fact together.

Analysis
Present all the points that support one side of the analysis together. Include L2F application and FCs, if helpful and relevant.

Counter-analysis, if necessary
Transition, and present the other side of the analysis, if there is one.

C = Conclusion for Issue 1
Close the analytical sequence by stating your conclusion on the issue.